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SIPDIS

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DOJ FOR CRM  
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TREASURY FOR CHIP PONCY  
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SUBJECT: EU LEADERS ENDORSE REVISED ACTION PLAN OF COUNTER-TERROR MEASURES, NEW EU DRUGS STRATEGY

REF: (A) USEU BRUSSELS 4789; (B) USEU BRUSSELS 4964

SUMMARY

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1. EU leaders at the December 16-17 European Council endorsed a revised EU Action Plan for the fight against terrorism and noted other contributions, including a strategy against terrorist financing that will continue to be a priority in 2005. Other priorities next year will be the protection of critical infrastructure, civil protection and information exchange. The leaders also endorsed the EU Drugs Strategy 2005-2012 and welcomed the establishment of common principles for the integration of migrants. Full text of European Council conclusions is available from <http://ue.eu.int>. END SUMMARY.

COUNTER-TERRORISM

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2. Though the subject was hardly discussed, EU leaders in the conclusions of the December 16-17 European Council reiterated their "unyielding determination to combat the continuing terrorist threat through a comprehensive and integrated approach" as well as their "conviction that, in order to be effective in the long run," the EU "must address the root causes of terrorism." Leaders tasked the EU Council of Ministers "to establish a long-term strategy and action plan" on radicalization and recruitment by June 2005.

3. The conclusions called for "prompt implementation" of CT measures in The Hague Program on Strengthening Freedom, Security and Justice (REF A), stressing the need to improve exchange of information among terrorism-related services.

4. The European Council welcomed the revised EU Action Plan and additional progress reports by the HiRep and Commission, and said the next review would be due in June 2005. Leaders expect "further concrete results" in the months ahead on:

-- LAW ENFORCEMENT COOPERATION, including through EUROPOL and the EU Police Chiefs Task Force, and by improved information exchange among Member States, exchanging data on lost and stolen passports with Interpol, and completing peer evaluations of national CT structures by Sept. 25, 2005;

-- JUDICIAL COOPERATION, including exchange of information from criminal records; progress on retention of telecoms data, the European Evidence Warrant, and plans for a European (witness) Protection Program;

-- BORDER AND DOCUMENT SECURITY, including the addition of biometrics to EU passports and standing-up the new European Border Agency by May 2005);

-- INTELLIGENCE COOPERATION, including strengthening links between the EU Counter-Terrorism Group and the "reinforced" EU Situation Center;

-- TERRORIST FINANCING, including by reaching agreement on controls for cash entering or leaving the EU and on the third Money Laundering Directive, and the creation of a best practices tool for implementing financial sanctions; the Commission was asked to submit "proposals to prevent misuse of charitable organizations for the financing of terrorism," and Member States were urged to submit names to the EU terrorist sanctions list;

-- CIVIL AND INFRASTRUCTURE PROTECTION, including creation of a Solidarity Program for consequence management, further assessment of the capabilities that Member States could make available to the EU in the event of an attack, and creation of a critical infrastructure protection program (by the end of 2005);

-- EXTERNAL RELATIONS, including implementation of the EU decision to add CT clauses in agreements with non-EU countries, implementation of the 2004 US-EU Summit

Declaration and enhanced cooperation with non-EU countries through dialogue, assistance and regional cooperation.

#### MORE WORK TO BE DONE

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15. The revised Action Plan shows that every Member State still has to implement one or more of the twelve legislative instruments highlighted in previous European Council conclusions. These include three protocols to improve EUROPOL's powers to combat terrorism, and several other instruments that would make the EU more effective on terrorism financing (such as the Convention and the Protocol on mutual legal assistance). Several Member States have yet to implement the MLAT and extradition agreements with the U.S. Two Framework Decisions (on confiscation of crime-related proceeds and protection against cyber attacks) have been the subject of a political agreement in the Council -- in December 2002 and February 2003, respectively -- but formal adoption has been delayed by parliamentary scrutiny reservations in Member States. Several Member States have still to ratify some of the U.N. CT Conventions. EU sources also recognize there is still important work to be done at European level to protect trans-border networks.

#### EU DRUGS STRATEGY 2005-2012

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16. The leaders endorsed the EU Drugs Strategy for 2005-2012, already adopted by the Council (REF B). The conclusions tasked the Commission to submit a proposal for an Action Plan for implementation of the Strategy in 2005-2008, to be adopted by the Council early in 2005.

#### INTEGRATION OF MIGRANTS

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17. The leaders welcomed the establishment of common basic principles for the integration of immigrants into EU Member States (REF B). They also welcomed the November 9-11, 2005 ministerial conference on integration policy in Groningen that paid special attention to the problem of youth exposed to radical influences.

MCKINLEY